

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

In re:

SPECIAL PROCEDURES DURING
COVID-19 PUBLIC HEALTH
EMERGENCY

Administrative Order No. 2020-2

WHEREAS in response to the COVID-19 public health emergency Governor Gretchen Whitmer has issued Executive Order No. 2020-21 (the “Executive Order”) dramatically restricting movement of people within our State; and

WHEREAS in response to the Executive Order and the public health emergency the court intends to limit in-person hearings and access to the Clerk’s Office in Grand Rapids, Michigan, conducting as much of the public’s business as possible during the emergency through telephonic and other electronic means; and

WHEREAS LBR 5005-1(d) authorizes documents other than the petition to be filed by facsimile and email with prior court approval; and

WHEREAS LBR 9029(b) provides that if any matter of practice or procedure requires the court’s attention prior to amendment of the Local Bankruptcy Rules, the court may enter an administrative order to serve as an interim rule,

NOW, THEREFORE IT IS HEREBY ORDERED:

1. Effective at 7:59 am on March 24, 2020, access to the Clerk’s office (One Division N., Grand Rapids, Michigan) shall be by appointment only, and any hearing in which the court requires attendance in person (and not merely by telephone) will be regarded as an appointment.
2. Pending further order of the court, any document (including the petition) may be filed by facsimile or electronic mail upon written request and with the prior approval of the court.
3. If the court permits a party to file a document by facsimile or electronic mail, the party shall, within 14 days after the filing by facsimile or electronic mail, transmit (by U.S. mail or overnight delivery service) the original, signed document(s) to the Clerk of the Bankruptcy Court, 1 Division Ave. N, 2nd Floor, Grand Rapids, Michigan 49503.

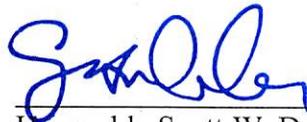
4. Any document filed by facsimile or electronic mail with permission will be provisionally accepted. Pursuant to Fed. R. Bankr. P. 9011, the original, signed document must be received by the Clerk within 14 days of the facsimile or electronic mail filing. Failure to timely transmit the original, signed document to the Clerk will result in the court striking the document.
5. The Clerk shall post procedures for obtaining an appointment to access the Clerk's office or permission to file by facsimile or electronic mail on the court's website at:

<https://www.miwb.uscourts.gov/covid-19-notice>
6. Notwithstanding the limitations on access to the Clerk's office provided herein, the court does not regard the Clerk's office as "inaccessible" within the meaning of Fed. R. Bankr. P. 9006(c)(3) and the court will not recognize any deadline extension that might arguably apply under Fed. R. Bankr. P. 9006(c)(3), but for this decretal paragraph.
7. The court considers all its personnel essential to meeting the core mission of the Judiciary. To the extent court personnel must come and go from court facilities, they should be prepared to present a copy of this Administrative Order and their government identification to any police officer inquiring as to their business. The court anticipates this will be sufficient to demonstrate they are operating consistent with the terms of the Governor's Order.

IT IS SO ORDERED.

Dated: March 23, 2020

FOR THE COURT:



Honorable Scott W. Dales
Chief Judge